

Memo to Senator Judith Zaffirini
Re: Voter ID Bill, Declaration of Origin
CV/February 13, 2009

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This memo is briefs Z re Rep. Ruth Jones McClendon's legislative concept for a bill to counter Voter ID bills introduced in the House and Senate. Rep. Jones seeks Z sponsorship in the house.

- HIGHLY CONFIDENTIAL ATTORNEY EYES ONLY
- I. Rep. McClendon's bill would establish a means for county courts having probate jurisdiction or district courts with family law jurisdiction to receive petitions for a Declaration of Origin.
 - A. The petition and declaration of origin will establish, by adjudication of the court, the status of a person's birthplace, thus creating a legal document as proof of citizenship.
 - 1. Persons without legal documents to prove birth would utilize this option to establish citizenship.
 - 2. Testimony by sworn witness in a court of law will provide the necessary evidence to support the petition's assertions.
 - B. Filing fee for the petition would be \$25,
 - C. A Pauper's Affidavit stating inability to pay the fee is the alternative for person who cannot afford the petition filing fee.
 - D. This bill is structured on language routinely used in probate courts to establish heirs to an estate.
 - E. Currently under Texas law there is no statutory provision for Declaration of Origin and this bill would create a legal avenue for persons to establish their U.S. citizenship.
 - II. Rep. McClendon requested a bill draft from the Texas Legislative Council yesterday, Thursday, February 12.
 - A. Sample language is attached.
 - B. CV will forward the House bill draft once it is prepared.

CV recs Z sponsor this legislation in the senate. Does Z agree?

Y__; N__

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